

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-1(b)

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Attorneys for Secured Creditor

M&T Bank



Order Filed on February 19, 2020
by Clerk
U.S. Bankruptcy Court
District of New Jersey

In Re:

Jennifer A. Burke,

Debtor.

Case No.: 17-35987 VFP

Adv. No.:

Hearing Date: 2/6/2020 @ 10:00 a.m.

Judge: Vincent F. Papalia

**ORDER CURING POST-PETITION ARREARS AND RESOLVING CERTIFICATION
OF DEFAULT**

The relief set forth on the following pages, numbered two (2) through three (3) is hereby
ORDERED.

DATED: February 19, 2020

A handwritten signature in black ink, reading "Vincent F. Papalia".

Honorable Vincent F. Papalia
United States Bankruptcy Judge

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Debtor: Jennifer A. Burke

Case No: 17-35987 VFP

Caption of Order: ORDER CURING POST-PETITION ARREARS AND RESOLVING
CERTIFICATION OF DEFAULT

This matter having been brought before the Court by KML Law Group, P.C., attorneys for Secured Creditor, M&T Bank., Denise Carlon, Esq. appearing, upon a motion to vacate the automatic stay as to real property located at 188 Canterbury Drive, Ramsey Bgh, NJ, 07446, and it appearing that notice of said motion was properly served upon all parties concerned, and this Court having considered the representations of attorneys for Secured Creditor and Russell Low, Esq., attorney for Debtor, and for good cause having been shown

It is **ORDERED, ADJUDGED and DECREED** that as of February 4, 2020 Debtor is in arrears outside of the Chapter 13 Plan to Secured Creditor for payments due for the entire arrears listed in the Agreed order entered November 7, 2019 in the amount of \$61,413.08 . Debtor is also in arrears for the months of November 2019 through February 4, 2020 for the total post-petition amount of \$16,532.16 (4 @ \$4,133.04). The total amount of post-petition arrears is \$77,945.24; and

It is further **ORDERED, ADJUDGED and DECREED** that the balance of the arrears in the amount of \$77,945.24 shall be added to the affidavit of amount due and paid through Debtors' Chapter 13 plan; and

It is further **ORDERED, ADJUDGED and DECREED** that the debtor shall file a modified plan within twenty days of this order; and

It is further **ORDERED, ADJUDGED and DECREED** that regular mortgage payments are to resume March 1, 2020, directly to Secured Creditor, M&T Bank, P.O. Box 1288, Buffalo, NY 14240 (Note: the amount of the monthly mortgage payment is subject to change according to the terms of the note and mortgage); and

It is further **ORDERED, ADJUDGED and DECREED** that for the Duration of Debtor's Chapter 13 bankruptcy proceeding, if the lump sum payment or any regular monthly mortgage payments are not made within thirty (30) days of the date said payment is due, Secured Creditor may obtain an Order Vacating Automatic Stay as to Real Property by submitting a Certification of Default to the Court indicating such payment is more than thirty days late, and Debtors shall have fourteen days to respond; and

It is further **ORDERED, ADJUDGED and DECREED** that a copy of any such application, supporting certification, and proposed Order must be served on the Trustee, Debtor, and Debtor's counsel at the time of submission to the Court; and

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Debtor: Jennifer A. Burke

Case No: 17-35987 VFP

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It is further **ORDERED, ADJUDGED and DECREED** that Secured Creditor is hereby awarded reimbursement of fees and costs up to the sum of \$350.00 in an amount to be included in a post-petition fee notice for attorneys' fees, which is to be paid through Debtor's Chapter 13 plan;

It is further **ORDERED, ADJUDGED and DECREED** that Secured Creditor's Certification of Default is hereby resolved.

Certificate of Notice Page 4 of 4

United States Bankruptcy Court
District of New Jersey

In re:
Jennifer A. Burke
Debtor

Case No. 17-35987-VFP
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0312-2

User: admin
Form ID: pdf903

Page 1 of 1
Total Noticed: 1

Date Rcvd: Feb 19, 2020

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Feb 21, 2020.

db +Jennifer A. Burke, 188 Canterbury Drive, Ramsey, NJ 07446-2507

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
NONE. TOTAL: 0

***** BYPASSED RECIPIENTS *****

NONE. TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Feb 21, 2020

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on February 19, 2020 at the address(es) listed below:

Denise E. Carlon on behalf of Creditor M&T Bank dcarlon@kmlawgroup.com,
bkgroup@kmlawgroup.com
Marie-Ann Greenberg magecf@magtrustee.com
Phillip Andrew Raymond on behalf of Creditor M&T Bank phillip.raymond@mccalla.com
Rebecca Ann Solarz on behalf of Creditor M&T Bank rsolarz@kmlawgroup.com
Russell L. Low on behalf of Debtor Jennifer A. Burke ecf@lowbankruptcy.com,
ecf@lowbankruptcy.com;r57808@notify.bestcase.com
U.S. Trustee USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 6